



## BUSINESS, TRANSPORTATION & HOUSING AGENCY, I-BANK CAREER EXECUTIVE ASSIGNMENT EXAMINATION ANNOUNCEMENT

California State Government supports equal opportunity to all regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, religious or political affiliation, age, sexual orientation, medical condition or pregnancy. It is an objective of the State of California to achieve a drug-free work place. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the State, the rules governing Civil Service, and the special trust placed in public servants.

<b>DEPARTMENT:</b>	BUSINESS, TRANSPORTATION & HOUSING AGENCY, I-BANK	<b>RELEASE DATE:</b>	Thursday, November 5, 2009
<b>POSITION TITLE:</b>	Deputy General Counsel	<b>FINAL FILING DATE:</b>	Thursday, November 19, 2009
<b>CEA LEVEL:</b>	CEA 5	<b>EXTENDED FINAL FILING DATE:</b>	
<b>SALARY RANGE:</b>	\$ 9,544.00 - \$13,381.00 / Month	<b>BULLETIN ID:</b>	10282009_7

### POSITION DESCRIPTION

Under the general direction of the General Counsel of the Business, Transportation and Housing Agency (Agency), the CEA 5 - Deputy General Counsel (DGC) acts as one of two legal advisors to the Secretary and to all Agency staff (deputy and assistant secretaries). The DGC performs primarily in the program areas of economic development and infrastructure financing; and secondarily in the program areas of business, transportation and housing as well as in the development and implementation of statewide Agency legal policies. Upon the General Counsel's direction, the position also performs the most sensitive and exceptionally difficult staff legal work of the Agency, interprets and evaluates existing legal policy, formulates new legal policy and represents Agency in legal proceedings with the Governor's Office, and State and Federal officials. The incumbent must be an expert in the highly specialized fields of public law, administrative law, and economic development law.

### MINIMUM QUALIFICATIONS

Applicants must meet the following minimum qualifications:

#### Either I

Must be a State civil service employee with permanent civil service status or who previously had permanent status in the State civil service.

#### Or II

Must be a current or former employee of the Legislature, with two or more consecutive years as defined in Government code § 18990.

#### Or III

Must be a current or former non-elected exempt employee of the Executive Branch with two or more consecutive years (excluding those positions for which salaries are set by statute) as defined in

Government Code § 18992.

#### **Or IV**

Must be a person retired from the United States military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty as defined in Government Code § 18991.

### **KNOWLEDGE AND ABILITIES**

Applicants must demonstrate the ability to perform high administrative and policy – influencing functions effectively. Such overall ability requires possession of most of the following more specific knowledge and abilities:

(1) Knowledge of the organization and functions of California State Government including the organization and practices of the Legislature and the Executive Branch; principles, practices, and trends of public administration, organization, and management; techniques of organizing and motivating groups; program development and evaluation; methods of administrative problem solving; principles and practices of policy formulation and development; and personnel management techniques; the department's or agency's Equal Employment Opportunity Program objectives; and a manager's role in the Equal Employment Opportunity Program.

(2) Ability to plan, organize, and direct the work of multidisciplinary professional and administrative staff; analyze administrative policies, organization, procedures and practices; integrate the activities of a diverse program to attain common goals; gain the confidence and support of top level administrators and advise them on a wide range of administrative matters; develop cooperative working relationships with representatives of all levels of government, the public, and the Legislature and Executive branches; analyze complex problems and recommend effective courses of action; and prepare and review reports; and effectively contribute to the department's or agency's Equal Employment Opportunity objectives.

These knowledge and abilities are expected to be obtained from the following kinds of experience with substantial participation in the formulation, operation and/or evaluation of program policies (experience may have been paid or volunteer; in State service, other government settings, or in a private organization):

**CEA Level 1.** Supervisory/administrative experience in a line or staff activity, including the execution and/or evaluation of program policies.

**CEA Levels 2 and 3.** Broad administrative or program manager experience with substantial participation in the formulation, operation, and/or evaluation of program policies.

**CEA Levels 4 and 5.** Extensive managerial and program administrative experience which has included substantial responsibility for a combination of management functions such as program planning; policy formulation; organization coordination and control; and fiscal and personnel management. Where high technical professional qualifications are of primary importance in performing the duties of a given CEA

position, then the above required experience may have been in a staff capacity exercising professional skills to influence and contribute to program, policy, and methods of providing those professional services. Primary examples are medical doctors and attorneys.

### **DESIRABLE QUALIFICATION(S)**

In addition to evaluating each candidate's relative ability as demonstrated by the quality and breadth of experience, the following factors will be emphasized in competitively evaluating each candidate:

1. Develops legal advice and legal policy for the Secretary, Undersecretary and all Agency staff regarding legal matters affecting the Agency, direct programs under the Agency, and Agency departments, in any of the areas of economic development. Acts as the primary legal counsel for the program areas under Agency jurisdiction from the former Technology, Trade and Commerce Agency, including but not limited to tourism; filming; international trade and investment; infrastructure and economic development banking; small business financing; technology transfer and financing; military related economic development; and space support. Acts as counsel and management advisor related to any new state economic development function, task, or initiative.
2. Participates in the development of legal advice and legal policy to the Secretary, Undersecretary and all Agency staff regarding legal matters affecting the Agency and Agency departments in the areas of business, transportation, and housing.
3. Serves as liaison with departmental directors and chief counsels on high priority, sensitive legal matters involving significant program, fiscal, communications, or legislative issues requiring the assessment, analysis, or interpretation of constitutional law, statutes, or appellate court decisions having statewide effects.
4. Assists the General Counsel or acts independently upon General Counsel's assignment in the formulation of Agency policy by developing recommendations to the Agency Secretary and/or Undersecretary regarding all relevant and significant legal issues with statewide implications.
5. Oversees the preparation of issue papers (e.g., draft GOARs and SIRs) prepared by Agency departments recommending Agency and/or Administration policies that involve significant legal questions with statewide implications and affecting statewide policies. Performs independent analysis of agency recommendations, and formulates advice to the Office of Legal Affairs of the Governor with respect to the issues raised by subordinate departments.
6. Oversees and monitors significant legal matters including litigation involving the Agency, Agency Secretary, Agency Staff and/or Agency departments. If necessary, directly handles legal matters involving the Secretary or the Agency.
7. Upon delegation of the Agency Secretary, reviews, analyzes, and approves administrative regulatory actions (request for approval, request for public comment, request for adoption) developed and advanced by subordinate departments of the Agency. Advises on and participates in the development of administrative regulations authorized to be issued by the Secretary with respect to direct programs under the control of the Agency, including the economic development related programs.
8. Develops, legal advice and recommendations on appropriate Agency action relative to the California Public Records Act, the Political Reform Act (including the implementing regulations promulgated by the Fair Political Practices Commission), the Administrative Procedure Act, the Public Contract Code (including implementing State Administrative Manual policies for significant non-competitively bid contracts), the provisions of the Government Code relating to the jurisdiction

of the Agency and Agency Secretary, the implementation of Governor's Executive Orders, and other areas of California and federal public law.

## EXAMINATION INFORMATION

A minimum rating of 70% must be attained to obtain list eligibility. Hiring interviews may be conducted with the most qualified candidates. All candidates will receive written notification of their examination results. The result of this examination will be used only to fill the position of **Deputy General Counsel**, with the **BUSINESS, TRANSPORTATION & HOUSING AGENCY, I-BANK**. Applications will be retained for twelve months.

*The results of this examination will be used only to fill this position.*

The examination process will consist of an application and Statement of Qualifications screening committee. All interested applicants must file a Standard State Application (STD. 678), a resume, and a Statement of Qualifications. All applications/resumes must include "to" and "from" dates (month/day/year). The screening committee will compare each applicant's qualifications for the position against specific job-related evaluation criteria developed from the minimum qualifications and desirable qualifications. Based on the competitiveness of the group, the most qualified candidates may be scheduled for an interview as a part of the examination process.

## FILING INSTRUCTIONS

### Interested applicants must submit:

- A completed Standard State Application (Form 678).
- A "Statement of Qualifications". The Statement is a narrative discussion of how the candidate's education, training, experience, and skills meet the minimum and desirable qualifications and qualify them for the position. The Statement of Qualifications serves as a documentation of each candidate's ability to present information clearly and concisely in writing and should be typed and no more than five pages in length.
- Resumes do not take the place of the Statement of Qualifications.

### Applications must be submitted by the final filing date to:

BUSINESS, TRANSPORTATION & HOUSING AGENCY, I-BANK, c/o DEPARTMENT OF  
CALIFORNIA HIGHWAY PATROL, Examination Services  
P. O. Box 942898, Sacramento, CA 94298-0001  
Dr. Wendy Wilson | (916) 375-2535 | [WWilson@chp.ca.gov](mailto:WWilson@chp.ca.gov)

## ADDITIONAL INFORMATION

Applications (STD. 678) must be POSTMARKED no later than the final filing date. Applications postmarked, personally delivered, or received via interoffice mail after the final filing date will not be accepted for any reason.

## SPECIAL TESTING

If you have a disability and need special testing arrangements, mark the appropriate box in Part 2 of the "Examination Application." You will be contacted to make specific arrangements.

## GENERAL INFORMATION

If you meet the requirements stated in this bulletin, you may take this examination, which is competitive. Possession of the entrance requirements does not assure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the performance of others who take this test, and all candidates who pass will be ranked according to their scores.

The BUSINESS, TRANSPORTATION & HOUSING AGENCY, I-BANK reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service law and rules and all competitors will be notified.

**General Qualifications:** Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others.

**Class specs:** <http://www.dpa.ca.gov/textdocs/specs/s7/s7500.txt>